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## Office Action Summary

Application No.

09/597,801

Applicant(s)

JORASCH ET AL.

Examiner

Yveste G. Cherubin

Art Unit

3713

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 20 June 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-71 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 37,45 and 55-58 is/are allowed.
- 6) ☒ Claim(s) 1-36,38-40,46-54 and 59-71 is/are rejected.
- 7) ☒ Claim(s) 41-44 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2,4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

1. This communication is in response to the communication of the Application No. 09/597,801 in which claims 1-71 are pending. It carries priority from Application No. 60/202,573 filed in May 10, 2000.

### ***Allowable Subject Matter***

2. Claims 37, 45, 55-58 are allowed.

Claims 41-44 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

- a. Claims 1-15, 18-30, 46-54, 59-71 are rejected under 35 U.S.C. 103(a) as being unpatentable over Storch (US Patent No. 4,814,589) in view of Gassies (US Patent No. 5,895,321).

As per claims 1-2, 21-23, 25, 30, 48, 50, Storch discloses a system and method of use for encoding objects or a plurality of objects, for reading, decoding, processing and using the information obtained from such encoded objects. The coding may be applied to objects such as casino chips, currency, etc. The coding system can be employed for enabling positive real-time event detection, object identification, particularly gambling chips in a gambling establishment etc.

Each item is encoded with unique machine-readable binary information. The system comprises means for storing identifying information which is associated with the information, means for reading the encoded information from the items at more than one location, means coupled to receive the read information, and means for comparing stored identifying information with the received information to detect if one or more items are encoded with the same information thereby detecting counterfeits. Having a token associated with a first non-zero value is inherent. However, Storch does not disclose changing the value and associating the second non-zero value being different from the first non-zero value. Gassies discloses a gambling chip that includes an electronic memory device, 4:41-64. Gassies further teaches that a reprogrammable electronic type device having a changing code with the possibility of reading and writing in memory can also be used. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the reprogrammable device of Gassies into the Storch type device in order to modify and allow changes to be made when needed. As per claims 4, 10, 27-29, in the gaming environment, it's known that event can be detected in a lot of ways such as at the insertion and the discharge of tokens, player tracking system which can be done through the use of cards, etc. As per claims 5, 7, 9, 11, 26, 49, inserting a gaming token in a slot machine is old and well known in the gaming environment. As per claims 6, 8, it's known that the activity of a player can be tracked or detected through the use of an identification gaming card such as a smart card, etc. Regarding claims 14-15, having the second-non-zero value greater than the first non-zero value, and the

second non-zero value less than the first non-zero value would have been a matter of design choice. It would have been obvious to set it up as such to correspond with the actual value of the token. As per claims 18-20, Gassies' device comprises a memory carrying the identification of the chip and further makes use of a transmitter/receiver therefore making it possible to exchange the data value of the gaming token, 1:60-67, 2:54-60. As per claim 13, Storch discloses that the information on his chip can be encoded in many number of ways such as optically, magnetically, mechanically, electrically, sonically, etc.

b. Claims 16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Storch in view of Gassies and further in view of Modler (US Patent No. 5,361,885).

As per claims 16, 17 Storch in view of Gassies disclose the claimed invention as discussed above. However, they do not display values on the token. Modler teaches the use of a display to display the values of tokens as shown in Fig 1-3, 1:19-23. It would have been obvious to one of ordinary skill in the art to display the token value in order to provide easy reading access of the token.

c. Claims 31-36, 38-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Modler (US Patent No. 5,361,885) in view of Gassies et al. (US Patent No. 5,895,321).

As per claims 31-32, 38, Modler teaches using selected colors to display the value of tokens. However, Modler does not teach switching the display status of

his token. Gassies provides the capability of switching the status of his tokens through reprogramming. It would have been obvious to one of ordinary skill in the art to electronically implement Modler's display teaching into the Gassies type device in order to provide easy reading access of the gaming token. As per claim 33, displaying blank in the first display status and alphanumeric in the second display status would have been a matter of design choice. As per claim 34, using alphanumeric to display first and second status would be obvious. One of ordinary skill in the art would have been motivated to provide such a feature into the Modler in view of Gassies type device in order to allow the display of all types of messages. As per claims 35-36, having a display device including a light emitting diode or a liquid crystal display is old and well known. As per claim 39, Modler, in Fig., displays the value of the token. As per claim 40, updating the value of tokens in response to detection of events would have been a matter of design choice. One of skill in the art would have been motivated to provide such feature in order to save time and avoid having people standing on line for token exchange. As per claims 46-47, using a memory device storing a database that comprises a plurality of entries regarding the token status would have been obvious. Doing so would facilitate the arrangement of data and therefore speed up data search and retrieval.

### ***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. US Patent No. 5,607,156 to Samarasinghe, which teaches apparatus for playing games.

b. US Patent No. 5,967,516 to Phillips, which teaches time piece game.

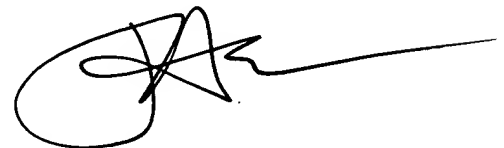
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yveste G. Cherubin whose telephone number is (703) 306-3027. The examiner can normally be reached on 9:30 - 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Valencia Martin-Wallace can be reached on (703) 308-4119. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-3579 for regular communications and (703) 305-3579 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1148.

November 5, 2001

ygc



JESSICA J. HARRISON  
PRIMARY EXAMINER